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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/659,934

09/11/2003

Tao Wu

042933/267065

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03/28/2008

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EXAMINER

DAILEY, THOMAS J

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

03/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,934

Applicant(s)

WU ET AL.

Examiner

THOMAS J. DAILEY

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14-19, 21, 22, 24-29, 31, 32 and 34-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14-19, 21-22, 24-29, 31-32, and 34-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-5, 7-12, 14-19, 21-22, 24-29, 31-32, and 34-38 are pending.

Response to Arguments

2. Applicant's arguments filed January 3, 2008 have been fully considered but they are not persuasive.
3. The applicant argues with respect to claim 15 that Leppinen (WIPO Pub. No. WO 01/33804 A2) fails to disclose the first response including a redirection to a resource at a second location.
4. The examiner disagrees. Leppinen discloses a gateway server (reading on a processor as recited in claim 15) receiving a response, the response comprising an HTTP redirection message indicating the new location of a resource (column 6, line 34-column 7, line 7, i.e. a redirection to a second location).
5. The applicant further argues with respect to claim 8 that Leppinen in view of what was well known in the art is improper and does not support the mobile station formulating a subsequent request in response to receiving the new URL of the resource. The applicant contends that, at best, one could argue that any subsequent resource request using the new URL of Leppinen is serviced by the web server of the new URL or the gateway server, neither of which may

reasonably correspond to the recited terminal proxy since both are across the alleged first network from the mobile station.

6. The examiner disagrees. Leppinen explicitly discloses the mobile station receives both the new URL (indicating the new location of the resource) and the resource (column 7, lines 14-16), thus to one of ordinary skill in the art any subsequent request for the resource (i.e. a third request) need not be serviced by the web server of the new URL, because the mobile station already has the resource, most likely stored in cache. Further, as the specification of the applicant indicates that the terminal proxy is collocated with the terminal (page 11, lines 28-30), any such cache on the mobile station (while perhaps not explicitly disclosed by Leppinen, use of caches was notoriously well known in the art at the time of the invention) of Leppinen reads on the terminal proxy.
7. The U.S.C. 112 second paragraph rejections directed at claims 2-5, 7, 9-12, 14, 16-19, 21, 24, 26-29, 31, and 34-38 have been withdrawn in view of the applicant's amended claims and arguments.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 15-19, 21, 25-29, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Leppinen (WIPO Publication No. WO 01/33804 A2).

10. As to claim 15, Leppinen discloses an apparatus comprising:

a processor configured to communicate with a host over a second network independent of a first network (column 6, lines 28-34, gateway server reads on processor, web server reads on host),

wherein the processor configured to receive a first response from the host (column 6, line 34-column 7, line 3),

wherein the first response includes a redirection to a resource at a second location and (column 6, lines 34-column 7, line 3, "HTTP redirection message indicating the new location of the requested content or resource") is responsive to a first request sent from a terminal to the host over the first network and the second network (column 3, lines 31-34 and column 6, lines 28-34),

wherein the first request identifies the resource at a first location on the host (column 6, lines 28-34),

wherein the processor is configured to reformulate the first request into a second request that identifies the resource at the second location (column 7, lines 3-7), and

thereafter send the second request to a host of the resource at the second location such that the host of the resource at the second location responds to the second request with a second response (column 7, lines 3-7),

wherein the terminal includes a terminal proxy, and wherein the processor is configured to send the first response and the second response to the terminal proxy (page 7, lines 10-16, mobile station includes a "terminal proxy", as the mobile station receives both the first response (new URL) and the second response (resource)).

11. As to claim 25, it is rejected by the same rationale set forth in claim 15's rejection.
12. As to claims 16 and 26, Leppinen discloses receiving a first response from the host that identifies the resource at the second location (column 6, lines 9-13).
13. As to claims 17 and 27, Leppinen discloses sending a first hypertext transfer protocol (HTTP) request (column 6, lines 28-34), and wherein the host is configured to send a first HTTP response that includes a 3xx "Redirection" status code (column 7, lines 1-3, the "HTTP redirection message" will inherently be of 3xx status in HTTP).

14. As to claims 18 and 28, Leppinen discloses the network proxy is configured to examine the first response to determine if the first response identifies the resource at the second location, and if the first response does not identify the resource at the second location, send the first response to the terminal (column 6, lines 6-18), and
- wherein the network proxy is configured to reformulate the request and sending the second request if the first response does identify the resource at the second location (column 6, lines 19-25).
15. As to claims 19 and 29, Leppinen discloses the terminal is configured to send a first hypertext transfer protocol (HTTP) request (column 5, lines 22-25), wherein the host is configured to send a first HTTP response (column 7, lines 1-3) and wherein the network proxy is configured to examine the first response to determine if the first response includes a 3xx "Redirection" status code to thereby determine if the first response identifies the resource at the second location (column 7, lines 3-16, the "HTTP redirection message" will inherently be of 3xx status in HTTP).
16. As to claims 21 and 31, Leppinen discloses compressing at least one of the first response and the second response before sending the first response and second response to the terminal proxy (column 7, lines 10-16).

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 1-5, 7-12, 14, 22, 24, 32, and 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leppinen, and further in view of what is well known and expected in the art.

19. As to claim 1, Leppinen discloses a system for requesting a resource over at least one network (Abstract), the system comprising:

a terminal including a client application and configured to send a first request for the resource over a first network and a second network (column 3, lines 31-34 and column 6, lines 28-34, mobile station reads on terminal);

a host configured to receive the first request, and thereafter send a first response, wherein the first request identifies the resource at a first location on the host (column 5, line 32-column 6, line 1, web server reads on host) ;

a network proxy configured to communicate with the host over the second network independent of the first network (column 6, lines 28-34, gateway server reads on network proxy)

wherein the network proxy configured to receive the first response from the host (column 6, line 34-column 7, line 3),

wherein the network proxy configured to reformulate the first request into a second request that identifies the resource at a second location (column 7, lines 3-7), and

wherein the network proxy is configured to send the second request to a host of the resource at the second location such that the host of the resource at the second location responds to the second request with a second response (column 7, lines 3-7), and

a terminal proxy configured to communicate with the client application independent of the first network, wherein the terminal proxy is configured to receive the first response and the second response from the network proxy and the terminal proxy sends the first and second responses to the client application (page 7, lines 10-16, mobile station includes a "terminal proxy").

But, Leppinen does not explicitly disclose the client application reformulates the first request into a third request and sending the third request to the terminal proxy such that the terminal proxy sends the resource to the client application.

However, Official Notice is taken that such steps would have been obvious to one of ordinary skill in the art at the time of the invention, given the explicit teachings of Leppinen. Specifically, Leppinen discloses sending both the requested resource (the second response) and the new location information (the first response) to the mobile station, with the new location information being given so as to update the history file with the new URL; thus to one of ordinary skill in the art any subsequent request for the resource (i.e. a third request) need only be serviced by the mobile station itself, most likely by a cache. Further, as the specification of the applicant indicates that the terminal proxy is collocated with the terminal (page 11, lines 28-30), any such cache on the mobile station of Leppinen (while perhaps not explicitly disclosed by Leppinen, use of caches was notoriously well known in the art at the time of the invention) reads on the terminal proxy. Therefore, one of ordinary skill in the art would view it as obvious that a reformulated request in Leppinen is already present (i.e. any cache retrieval) or that the request is extraneous, as the mobile station already made aware of the new location of the requested resource.

20. As to claim 8, it is rejected by the same rationale set forth in claim 1's rejection.

21. As to claim 22, Leppinen discloses an apparatus for requesting a resource over at least one network, the apparatus comprising:

a client application configured to send a first request for the resource to a host over the first network and the second network (column 3, lines 31-34 and column 6, lines 28-34), the first request identifying the resource at a first location on the host (column 6, lines 28-34), wherein the client application is configured to send the first request in a manner so that the host sends a first response that a network proxy receives over the second network independent of the first network (column 3, lines 31-34 and column 6, lines 28-34), reformulate into a second request that identifies the resource at a second location (column 7, lines 3-7), and send the second request to a host of the resource at the second location such that the host of the resource at the second location responds to the second request with a second response (column 7, lines 3-7); and

a terminal proxy configured to communicate with the client application independent of the first network, wherein the terminal proxy is configured to receive the second response and thereafter send the second response to the client application (column 10, lines 10-16, the terminal proxy is inherent at the mobile station (terminal) as the second response is received in the form of the header which gives the location of the new URL to the mobile station (terminal)),

wherein the terminal proxy is also configured to receive the first response, wherein the terminal proxy is configured to send the first response to the client application and the second response to the client application (page 7, lines 10-16, mobile station includes a "terminal proxy").

But, Leppinen does not explicitly disclose the client application reformulates the first request into a third request and sending the third request to the terminal proxy such that the terminal proxy sends the resource to the client application.

However, Official Notice is taken that such steps would have been obvious to one of ordinary skill in the art at the time of the invention, given the explicit teachings of Leppinen. Specifically, Leppinen discloses sending both the requested resource (the second response) and the new location information (the first response) to the mobile station, with the new location information being given so as to update the history file with the new URL; thus to one of ordinary skill in the art any subsequent request for the resource (i.e. a third request) need only be serviced by the mobile station itself, most likely by a cache. Further, as the specification of the applicant indicates that the terminal proxy is collocated with the terminal (page 11, lines 28-30), any such cache on the mobile station of Leppinen (while perhaps not explicitly disclosed by Leppinen, use of caches was notoriously well known in the art at the time of the invention) reads on the terminal proxy. Therefore, one of ordinary skill in the art would view it as obvious that a reformulated request in Leppinen is already present (i.e. any cache retrieval) or that the request is extraneous, as the mobile station already made aware of the new location of the requested resource.

22. As to claim 32, it is rejected by the same rationale set forth in claim 22's rejection.
23. As to claims 2 and 9, Leppinen discloses the terminal first network comprises a wireless network (column 5, lines 2-13), and the second network comprises a wireline network (column 5, lines 2-13, mobile station (terminal) uses a wireless network and is in communication with webserver (host) via the gateway (network proxy) using a standard wired network).
24. As to claims 3 and 10, Leppinen discloses sending a first hypertext transfer protocol (HTTP) request (column 6, lines 28-34), and wherein the host is configured to send a first HTTP response that includes a 3xx "Redirection" status code (column 7, lines 1-3, the "HTTP redirection message" will inherently be of 3xx status in HTTP).
25. As to claims 4 and 11, Leppinen discloses the network proxy is configured to examine the first response to determine if the first response identifies the resource at the second location, and if the first response does not identify the resource at the second location, send the first response to the terminal (column 6, lines 6-18), and

wherein the network proxy is configured to reformulate the request and sending the second request if the first response does identify the resource at the second location (column 6, lines 19-25).

26. As to claims 5, and 12, Leppinen discloses the terminal is configured to send a first hypertext transfer protocol (HTTP) request (column 5, lines 22-25), wherein the host is configured to send a first HTTP response (column 7, lines 1-3) and wherein the network proxy is configured to examine the first response to determine if the first response includes a 3xx "Redirection" status code to thereby determine if the first response identifies the resource at the second location (column 7, lines 3-16, the "HTTP redirection message" will inherently be of 3xx status in HTTP).

27. As to claims 7 and 14, Leppinen disclose the invention substantially with regard to the parent claims 6 and 13, and further disclose:

compressing at least one of the first response and the second response before sending the first response and second response to the terminal proxy (Leppinen, column 7, lines 10-16); and

uncompressing the compressed at least one of the first response or the second response before sending the respective response to the terminal (Leppinen, column 7, lines 10-16).

28. As to claims 24 and 34, they are rejected by the same rationale set forth in claim 7's rejection.

29. As to claims 35-38, Leppinen discloses the first response sent from the host, received at the network proxy, received at the terminal proxy and sent from the terminal proxy to the client application of the terminal includes a redirection to the host of the resource at the second location from which to receive the resource to complete the first request (page 7, lines 10-16).

Conclusion

30. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

31. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Art Unit: 2152

32. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.
33. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
34. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/T. J. D./
Examiner, Art Unit 2152

/Bunjob Jaroenchonwanit/
Supervisory Patent Examiner, Art Unit 2152

